

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 226
June 28, 2011

Members Present

Gary Ingman
Chris Deveny
Chris Anderson
Kammy Johnson
Spencer Shropshire
John Rundquist
Stan Frasier

Members Absent

Eric Woodland
Mike Murray

Staff

Jim Wilbur
James Swierc
Jennifer McBroom
Evan Kelly
Jolene Loomis
Scott Winfield

Guests Present

Betsy Burns, EPA
Jim Ford, METG
Alicia Voss, METG
Piper Haugen, Independent Record

Gary Ingman called the 173rd meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:30 p.m. A quorum was established. Introductions of attending board members, staff, and guests were made.

MINUTES

Gary Ingman asked if there were any corrections or additions to the minutes from May 24, 2011. Spencer Shropshire noted that in the updates and announcements that the word charrett was a poor word choice and recommended a different choice of words in the future. Spencer moved to accept the minutes as written. Gary Ingman seconded the motion. Motion carried 6-0.

REVIEW OF AGENDA

Chris Deveny requested that the Board discuss the Department of Environmental Quality (DEQ) response letter regarding the Drumlummon Mine during the board member discussion.

PUBLIC COMMENT

There was no public comment.

FINANCE MANAGER'S REPORT

Jim Wilbur, Water Quality District Coordinator, noted there will be a surplus carryover from Fiscal Year (FY) 2011 to FY 2012. The budget approval along with the 7% fee increase has not been approved as of yet and the District has been asked to present the fee increase proposal to the City of Helena Commission and the East Helena Council before it is presented to the Board of County Commissioners (BoCC) for approval.

Scott Winfield, Finance Director, presented the cash flow statement and comparison to budget for the WQPD on page 8 of the board packet. As of May 31, 2011, we are 92% through the year, beginning cash is \$71,855; total revenues received are \$294,076 or 97% amount budgeted; total expenditures

are \$263,161 or 86% amount budgeted; revenues are over expenditures by \$30,915; ending cash balance is \$102,770.

PRESENTATION

Jim Ford, hydrologist for the Montana Environmental Trust Group (METG), gave a PowerPoint presentation on the effects of on-site and off-site groundwater contamination along with cleanup efforts involving the Asarco Plant. Mr. Ford gave a brief background on the bankruptcy settlement of Asarco, the designated beneficiaries, and the METG's role regarding the cleanup responsibilities of the Asarco Plant. Mr. Ford stated that METG has compiled field sampling data from past years, worked to create a site concept, drafted a Phase II of the RFI, is working on defining the on-site and off-site selenium plumes, and conducted additional well monitoring. A groundwater field sampling and analysis plan (FSAP) was developed in 2011 to accumulate further data from past data gaps in and around the Asarco Plant. Mr. Ford noted that a high density sludge water treatment plant (HDS) was built on-site to treat contaminated water primarily arsenic. A process water report showed high levels of selenium occurred during the 1990's. Mr. Ford is working to gather data on why levels were so high. An 2008-20210 off-site selenium plan (See Attachment "A") showed through monitoring and sampling of the wells how the arsenic and selenium plumes are moving and the amounts of those metals in each well. Mr. Ford noted that there are various causes to the migration of the plume some being seasonal, environmental, and industrial. The main concern for METG is that the public is not consuming any of the contaminated water. The next steps for METG is to assure that there is no human exposure to the contaminated groundwater, better delineate vertical depth extent and stability of the selenium plume, develop a monitoring plan; and develop institutional controls regarding the contaminated aquifer. In answer to Spencer Shropshire's question, Mr. Ford stated that the reason they are focusing on selenium is a need to determine the extent of the plume in order to develop cleanup methods and potential controls. Mr. Ford believes that because of the high peaks of selenium discovered in the 90's that suggests that we are seeing a gradual increase in the plume. In answer to Stan Frasier's question regarding previous cleanup strategies, Mr. Ford stated that slurry walls have been installed on-site to prevent contaminated waters leaving highly contaminated areas on the plant site and the Environmental Protection Agency (EPA) tested a permeable reactive barrier to treat the ground water for arsenic before leaving the site. Mr. Ford noted that selenium is a natural nutrient and is okay in low doses but too much is toxic. Betsy Burns with the EPA stated that the draft Phase II RFI will be available for the county to review. Although the county cannot make changes to the draft, METG and the EPA will work closely with the County and the Board of Health to apply suggestions and requests to future solutions involving the Asarco Plant.

UPDATES AND ANNOUNCEMENTS

Lake Helena Watershed Restoration 319 Grant: Jim Wilbur stated that the contract for the three-year 319 stream restoration project grant has been signed by the DEQ and the Board of County Commissioners (BoCC).

MBMG Studies: Jim stated that the memo of understanding (MOU) with the Montana Bureau of Mines and Geology (MBMG) is expiring. A report from their findings is in review and will be available soon. James Swierc, Hydrologist, stated that he has copy of the draft report of the Scratch Gravel and North Hills report for review. MBMG will hold a public meeting in the fall to discuss their findings.

Jim also noted that the Helena Area Groundwater Phase I Project 319 Grant has ended with a final report to be submitted.

Flooding Issues: Jennifer McBroom, Watershed Outreach Coordinator, stated that during the summer flooding in the valley and in the City of East Helena, the District along with Gayle Shirley, Communications Coordinator for the Health Department, have been working on public outreach such as providing testing kits, site visits, available treatments, a flood communication website, and press releases. Jim noted that many of the surface monitoring sites will need to be repaired or replaced due to the flood. Also the recent stream restoration project riparian plantings on Floweree Road appears to have been severely affected by the flooding.

District Brochure: Jim stated that Joe Meek informed the District that the DEQ Source Water Protection Program will be funding the printing of 500 copies of the district brochure.

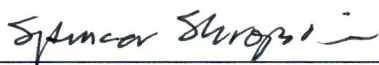
BOARD MEMBER DISCUSSION

Chris Deveny stated that Warren McCullough, chief of the Environmental Management Bureau, provided a response to the letter sent by Chris Deveny on the behalf of the WQPD and Ken Wallace on the behalf of the Board of Health regarding the mine activities at the Drumlummon Mine, in Marysville, Montana. Chris stated that the response letter stated that the Drumlummon Mine was under compliance and that the DEQ does not consider their current de-watering activity to be an issue for TMDL implementation. Chris also noted that DEQ stated that the Drumlummon mining activity has not exceeded the small miner exemption of less than five acres. Staff will have the letter sent by Chris and Ken along with the response letter in the July board packet. James noted that the Drumlummon Mine may open a new processing site 2.7 miles from the Drumlummon Mine.

Stan Frasier stated that the Conservation District has implemented a weed control program which will reimburse the residents in Lewis & Clark County for chemicals they used to control their weeds.

A board member vacancy announcement has been sent out for Kammy Johnson's position opening this fiscal year. Jim stated that Kammy is interested in reapplying.

The meeting adjourned at 7:32 p.m.



Spencer Shropshire, vice-chair